

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FRANKLIN,

Plaintiff,

v.

WORMUTH,

Defendant.

Case No. 8:23-cv-02129-PX

**MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendant, by and through undersigned counsel, moves the Court to extend Defendant's deadline to file a response to the Complaint through and including January 5, 2024. In support of this request, Defendant states as follows:

1. Defendant's response to the Complaint is due December 5, 2023. *See* ECF No. 16.
2. Defendant intends to file a Motion for Summary Judgment as its initial response to the Complaint and Defendant has through and including January 5, 2024 to move for summary judgment. *See* ECF No. 17.
3. Since FOIA cases are typically resolved on summary judgment, *see See Am. Mgmt. Servs., LLC v. Dep't of the Army*, 842 F. Supp. 2d 859, 866 (E.D. Va. 2012), *aff'd*, 703 F.3d 724 (4th Cir. 2013); *Moore v. United States*, No. 1:13-cv-02353, 2014 WL 2575765, at \*2 (D. Md. June 6, 2014), and the undersigned counsel is familiarizing herself with the case and preparing Defendant's memorandum in opposition to Plaintiff's Motion for Summary Judgment and in support of Defendant's cross-motion, Defendant seeks to extend its deadline to respond to the Complaint through and including January 5, 2024.

4. In light of Plaintiff's *pro se* status, the undersigned has not conferred with Plaintiff concerning this motion, however, Defendant does not anticipate any prejudice to Plaintiff from the short extension of time requested herein.

WHEREFORE, Defendant respectfully requests the Court extend Defendant's deadline to respond to the Complaint through and including January 5, 2024.

Respectfully submitted,

Erek L. Barron  
United States Attorney

/s/

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Rebecca A. Koch (No. 802108)  
Assistant United States Attorney  
United States Attorney's Office, District of Maryland  
6406 Ivy Lane, Suite 800  
Greenbelt, Maryland, 20770  
Telephone: (301) 344-4233  
Email: Rebecca.koch@usdoj.gov

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on December 5, 2023, I caused a copy of the foregoing *Motion for Extension of Time* to be served via the Court's CM/ECF system on all parties receiving electronic notices in this case.

\_\_\_\_\_/s/\_\_\_\_\_  
Rebecca Koch  
Assistant United States Attorney